

## REMARKS

### I. INTRODUCTION

Favorable reconsideration of this application, in light of the present amendments and the following discussion, is respectfully requested.

### II. STATUS OF THE CLAIMS

By the present amendment, claims 1, 4 and 5 are amended and claims 3, 7-8, and 10-11 are cancelled. That leaves claims 1-2, 4-6, 9, and 12 pending with claims 1 and 5 being independent. It is respectfully submitted that no new matter is added by this amendment.

### III. SUMMARY OF THE OFFICE ACTION

In the Office Action, claims 1 and 3-7, and 10 are rejected under 35 U.S.C. § 102(b) as being anticipated by *Runkle* (U.S. Patent No. 3,444,753); claim 2 is rejected under 35 U.S.C. § 103(a) as being unpatentable over *Runkle* in view of *Dykema et al.* (U.S. Patent No. 5,417,614); and claims 8, 9, 11 and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Runkle* in view of *Arnold* (U.S. Patent No. 5,152,627).

### IV. REJECTIONS OF CLAIMS

#### A. **Rejection of Claims 1, 3-7 and 10 under 35 U.S.C. § 102(b) as being anticipated by *Runkle***

---

Claims 1, 3-7 and 10 are rejected under 35 U.S.C. § 102(b) as being anticipated by *Runkle*. Applicant respectfully traverses.

Initially, Applicant notes that collar 28 of *Runkle* is not the female member of claimed invention as suggested in the Office Action. It is instead shafts 12 and 16 of *Runkle* that are the

telescoping male and female members. Moreover, as recited in the claimed invention, the metal strip must be between the male and female members. In contrast, the wedge blocks 22 of *Runkle* are not located between the male and female members 12 and 16 because the blocks 22 actually extend through slots 20 of the female member 16. It further follows that *Runkle* fails to teach a fastening cage that receives inside thereof a metal strip as in the claimed invention because shaft 16 of *Runkle* is not a fastening cage. As discussed above, the shaft 16 of *Runkle* is instead the female member that telescopically receives the male shaft 12.

Additionally, independent claims 1 and 5, as amended, recite that the female and male members have a substantially triangular shape with blunt vertexes. Neither male shaft 12 nor female shaft 16 of *Runkle* has a triangular shape with blunt vertexes. Furthermore, it would not have been obvious to change the shape of the shafts 12 and 16 to a triangular shape with vertexes in view of *Arnold*, as suggested in the Office Action. In particular, even assuming the collar 28 of *Runkle* could be considered the female member of the claimed invention, the collar 28 could not be modified to have a triangular shape. That is because the collar 28 includes inclined ramps 30 which must apply sufficient force to the wedge blocks 22 to apply appropriate loading to cause inward movement of the wedge blocks against the shaft 12 when the collar 28 is moved axially with respect to the shaft 16. See col. 2, ln 71- col. 3, ln 15. As *Runkle* explains “[s]uch loading of the wedge blocks creates a couple, that is, a pair of equal parallel forces acting in opposite directions tending to produce relative rotation between the inner and outer shafts.” Thus, by changing the shape of the collar 28, particularly its inner surface shape, to a triangular shape, its ramps 30 and their function of applying sufficient force to the wedge blocks 22 would

be eliminated. Therefore, one skilled in the art would not be motivated to change the shape of the collar 28 and risk eliminating the function of the ramps 30.

Consequently, Applicant submits that not all of the claim limitations are identically found in *Runkle* and it would not be obvious to modify *Runkle* to meet the claimed invention. Thus, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 1, 3-7 and 10 in view of *Runkle*.

**B. Rejection of Claim 2 under 35 U.S.C. § 103(a) as being anticipated by *Runkle* in view of *Dykema et al.***

---

Claim 2 is rejected under 35 U.S.C. § 103(a) as being unpatentable over *Runkle* in view of *Dykema et al.* Applicant respectfully traverses.

Dependent claim 2 is believed to be allowable over the *Runkle* for the same reasons discussed above. And *Dykema* fails to cure the deficiencies of *Runkle*. Also, *Dykema* does not teach the specific features of claim 2. In particular, the abutment 70 of *Dykema* does not clamp a cage, as suggested in the Office Action. Instead, the abutment 70 is simply provided for registry with a groove 36 in the tubular shaft 30. It is the spring 50 (an independent piece) that prevents the dislodgment between the cage and the male member via its spring leg 52a which blocks the end of the groove 36. See col. 4, lns. 12-18 of *Dykema*.

Accordingly, Applicant submits that a prima facie case of obviousness has not been established. Therefore, Applicant respectfully requests reconsideration and withdrawal of the rejection of claim 2 under 35 U.S.C. § 103(a).

**C.      Rejection of Claims 8, 9, 11 and 12 under 35 U.S.C. § 103(a) as being anticipated by *Runkle* in view of *Arnold***

---

Claims 8, 9, 11 and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Runkle* in view of *Arnold*. Applicant respectfully traverses.

Applicant submits that dependent claims 9 and 12 are allowable over *Runkle* in view of *Arnold* for the same reasons discussed above in Section A. Claims 8 and 11 are cancelled. As mentioned above, it would not have been obvious to one skilled in the art to change the shape of the collar 28 of *Runkle* including to a shape with blunt surfaces.

Accordingly, Applicant submits that a prima facie case of obviousness has not been established. Therefore, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 9 and 12 under 35 U.S.C. § 103(a).

**V.      CONCLUSION**

Consequently, in view of the foregoing discussion and present amendments, it is respectfully submitted that this application is in condition for allowance. An early and favorable action is therefore respectfully requested.

Please charge any shortage or credit any overpayment of fees to BLANK ROME LLP, Deposit Account No. 23-2185 (001058-00031). A petition for a one-month extension of time is submitted herewith. In the event that an additional petition for an extension of time is required to be submitted herewith and in the event that a separate petition does not accompany this response, Applicant hereby petitions under 37 C.F.R. §1.36 (a) for an extension of time for as many months as are required to render this submission timely. Any fee due is authorized above.

U.S. Serial No: 10/565,982  
In Response to the Office Communication of March 15, 2010  
Atty Docket No: 001058-00031

Respectfully submitted,

BLANK ROME LLP

By: /Tara L. Marcus/  
Tara L. Marcus  
Reg. No. 46,510

600 New Hampshire Ave., N.W.  
Washington, D.C. 20037  
Telephone: (202) 772-5800  
Atty. Docket No.: 001058-00031  
**Date: July 13, 2010**  
TLM/rs